

WASHINGTON STATE PENITENTIARY

SUPERINTENDENT'S MEMORANDUM

February 12, 2010

TO: WSP Staff and Close Custody Offenders

FROM:  Steve Sinclair, Superintendent

SUBJECT: Close Custody Restricted Movement Status

As noted in the memo sent to you on February 9, 2010, staff have been working on new operational procedures for managing the living units and movement in the West Complex.

Staff and offender safety is a primary concern. While it was the most recent large group fight that led to the current restricted movement, there has been a pattern of large group fights since opening these units in April of 2008. We looked at violence and what helped to reduce it. We found that when we reduced the number of offenders in an area and began to offer incentives for positive behavior, violence decreased. The new operations will be very different from where we were 3 weeks ago. There will be big changes to recreation, the meal process, and general unit operations.

You'll see that we have reviewed everyone living in Delta, Echo, Fox, and Golf Units based upon their behavior and put them in a level system. It is called the Earned Incentives Program and is more of a level system. It is still an incentive based system. Everyone will be notified of their level status prior to coming off restriction. The level you are placed at decides your access to incentives, the amount of out of cell time you get (and where), and where you will eat your meals. The Earned Incentives Program Activities List is attached so you can see the various activities available at each level.

Since the level assignment is behavior based, everyone can get to the next level and take advantage of the activities and out of cell time it has to offer as long as they are willing to follow the rules, respect each other, and eliminate violence as a way to solve problems. The goal is to have everyone behave so they can participate in all the activities we have to offer. That will mean we will all have a much safer place for people to work and live.

We have also revised the unit manuals so they are now all uniform. Basic unit procedures in all 4 units will be the same. We are in the process of training staff on all of these changes.

Before we begin to open up and implement all the changes, all offenders will have a chance to meet privately with a staff member so that any remaining questions about the

changes can be answered, and to let us know that you understand the changes and know your assigned level.

Our goal in making these changes is to ensure a safe and secure environment for both staff and offenders. Here is more information about the changes we expect will help us achieve this goal:

- **Level System:** Offenders have been screened and assigned to either Level 1 or Level 2. Prior to coming off of restricted movement you will be notified of your level status.

Here is how we determined who is at what level:

- Level 1
 - 90 days infraction free
 - No disciplinary Segregation or IMU placements within the last 90 days.
 - No Category A infractions within the last 365 days.
- Level 2
 - Does not meet criteria for Level 1
- **New Arrivals:** All offenders will be evaluated and assigned to the appropriate level status prior to entering the living unit.
- **Level Movement:** If you meet the behavior expectations you may be moved from level 2 to level 1 by:
 - Approval of an application you submit.
 - Your counselor reviewing your behavior and FRMT moving you to the next level. (Counselors will automatically review all level 2's every 90 days) You are assigned the level but would have the choice to take advantage of the privileges you earned through your positive behavior.
 - At your next scheduled classification review (6 months or 1 year) your counselor will review your behavior and the Facility Risk management Team (FRMT) will place you at the appropriate level. You are assigned the level but would have the choice to take advantage of the privileges you earned through your positive behavior.
- **In-Unit Yard:** The In-Unit Yard schedule has been changed and is attached. You'll see that it offers more and longer yard opportunities for Level 1 offenders and shorter and fewer yards opportunities for Level 2 offenders. The In-Unit Yards will be run by sections. If you're level 1, you can be out anytime there's an inside yard on your side of the unit. If you're level 2, you only come out when your section is called. We believe the offenders who have proven they can behave, will continue to do that so they don't lose the out of cell time. This means there will probably be a lot more level 1's out than level 2's. Level 1's will also have their own recreation times when no level 2's will be out.

- **Out-of-Unit Yards:** Out-of-Unit Yards will be limited to ½ the housing unit at a time. This will reduce the number of offenders in the Big Yard at any given time and increase the level of safety for both staff and offenders.
- **Showers and Telephones:** There are 12 shower stalls available on each side of the housing units. When running shower gates, staff will release 12 offenders at a time. Offenders will take **the next available shower stall**. If an offender refuses to take the next available shower stall, they will be instructed to return to their cell and their opportunity to shower will be forfeited.

Showers will no longer be allowed during day room periods on the side the dayroom is open.

A telephone sign-up will be initiated. Offenders will sign up to use a telephone and will be permitted to access **the next available telephone** based upon the sign-up sheet.

- **Meals:** Meals will be run by section (20 to 30 offenders). Initially all offenders will pick up their trays from the Pantry and return to their cells to eat. Once the meal has been consumed, offenders will be released by section to return their trays and dispose of their garbage. As operations progress, meal service to Level 1 and Level 2 offenders will differ based on their levels.

Again, offenders will now be assigned by us to the appropriate level when they have proven they can meet the requirements to earn the incentives. We want to create the sort of environment where they feel safe enough to do that, if that's what they want to do. It is our hope they will continue to make positive choices so they can stay at level 1.

Some offenders are at level 2 now, and that's because their behavior has been unacceptable up until now. They have a chance to change their level, and we hope the changes we are implementing will create a situation where people can consider for themselves, whether they want to make the changes.

Some people will decide they don't want the Incentives and won't make the changes required. Some may like level 1 status. What I hope remains clear to everyone is, that those people who commit or are causing violent acts, will not be allowed to continue to do so and to hide among those who do want to make positive choices.

Earned Incentives Program

Program Activities

Level 1 Offenders

- ✓ Level 1 Recreation Schedule
- ✓ TV Rental Program (as available)
- ✓ Two In-Cell Curio Permits (Art, Beading, Yarn/String, Model Building, Material Crafts)
- ✓ Ability to eat meals in the dayroom or cell
- ✓ In-Unit Tournaments (as scheduled)
- ✓ Personal Food Nights in Dayroom (as scheduled)
- ✓ Intramural Sports (as scheduled)
- ✓ Cultural Events
- ✓ Family Friendly Activities
- ✓ Special Event of the Month
 - January In-Unit Tournaments
 - February Movie
 - March Movie or Basketball with Nachos
 - April In-Unit Tournaments
 - May Mother's Day Brunch
 - June Concert
 - July Family Picnic/Brunch
 - August Movie or Sporting Event
 - September Soccer (outside team)
 - October Talent Show
 - November Movie or Sporting Event
 - December Bowling in the Gym
- ✓ Charity Food Fundraisers (pizza, chicken, ice cream per quarterly schedule) – eating privileges in the dayroom.
- ✓ Personal Games in the Dayroom

Level 2 Offenders

- ✓ Level 2 Recreation Schedule
- ✓ All meals will be eaten in the cell
- ✓ One In-Cell Curio Permit (Art & Beading available)
- ✓ Family Friendly Activities
- ✓ Charity Food Fundraisers (pizza, chicken, ice cream per quarterly schedule) – must return to cell.